

Message Text

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PAGE 01 KATHMA 00182 130905Z
ACTION OPIC-06

INFO OCT-01 NEA-10 ISO-00 EB-07 /024 W
-----130916Z 027298 /20
R 130812Z JAN 77
FM AMEMBASSY KATHMANDU
TO SECSTATE WAHSHDC 7186

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E.O. 11652 N/A
TAGS: ENIV, NP
SUBJ: EVALUATION OF TECHNOLOGY TRANSFERS AND CONTRI-
BUTIONS IN KIND

REF: STATE A-5760, 11/30/76

1. AS THERE HAVE BEE NO CASES OF MAJOR PRIVATE FOREIGN INVEST-
MENTS IN NEPAL, NO DEFINITE POLICY OR PROCEDURES GOVERNING
EVALUATION OF FOREIGN INVESTMENTS IN TECHNOLOGY AND/OR TECH-
NICAL ASSISTANCE AND CONTRIBUTIONS IN KIND HAS YET BEEN
FORMED. HOWEVER, DISCUSSION WITH GOVERNMENT AUTHORITIES
REVEALS THE PROCEDURE TO BE AS FOLLOWS:

A) REGARDING TECHNOLOGY TRANSFERS EVALUATION IS DONE THROUGH
AN APPOINTED CONSULTANT IN CASES OF MAJOR PROJECTS REQUIRING
GLOBAL TENDER OR THROUGH A BOARD REPRESENTED BY THE INVESTOR'S
REPRESENTATIVE AND GOVERNMENT EXPERTS IN CASES OF INVESTMENTS
REQUIRING GOVERNMENT GUARANTEE. THERE IS NO SEPARATE PROCE-
DURE EVEN IF TECHNOLOGY IS BEING CONTRIBUTED FOR EQUITY.

B) SINCE EXPERTS ARE USED IN BOTH CASES, THERE IS LITTLE
LIKLIHOOD OF OVERVALUING TECHNOLOGY SUBSTANTIALLY.

2.A) REGARDING CONTRIBUTIONS IN KIND THE SAME MEASURES AS
ABOVE ARE TAKEN IN EVALUATING FOREIGN INVESTMENTS. IN
CASE OF USED MACHINERY BEING CONTRIBUTED, DEPRECIATED VALUE
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IS GENERALLY TAKEN INTO CONSIDERATION.

B) THE NEPALESE GOVERNMENT RELIES UPON THE REPORT OF THE
APPOINTED CONSULTANT OR THE BOARD FOR VALUATION OF SUCH
INVESTMENTS. THERE ARE NO SEPARATE LAWS, DECREES, AND
REGULATIONS GOVERNING INVESTMENTS IN TECHNOLOGY AND/OR
TECHNICAL ASSISTANCE AND CONTRIBUTIONS IN KIND.

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
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